

STATE OF MISSOURI

ACTION PLAN

**Supplemental CDBG Disaster Recovery Funding from the
Supplemental Appropriations Act
Public Law 110-329, 2008**

(Second 2008 Act)

Federal Register: February 13, 2009

**MISSOURI DEPARTMENT OF ECONOMIC
DEVELOPMENT**

August 2009

Purpose of this Supplemental Disaster Appropriation

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act (PL-110-329 and hereafter identified as the Second 2008 Act) appropriates over \$6 billion in CDBG funds for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization in areas affected by hurricanes, flooding and other natural disasters that occurred during 2008, for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The allocation awarded to Missouri from this Supplemental Appropriation is \$92,605,490. Of this allocation, an amount not less than \$10,372,631 must be used for affordable rental housing.

The Second 2008 Act states that the funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency (FEMA) or the Army Corps of Engineers. **Further, none of the funds may be used as the required match, share, or contribution for another federal program.**

Effect of the disaster and Missouri's recovery needs

2008 brought several weather related disasters to Missouri, including severe flooding in several areas and tornadoes and other severe storms in other areas.

There were six separate Presidentially-declared Disasters in Missouri during 2008.

For declared disaster 1773, 2,421 homes were impacted by the flooding, with 582 being affected, 535 sustaining minor damage, 225 sustaining major damage, and 1,079 being destroyed.

For declared disaster 1760, 550 homes were impacted by the weather events, with 80 being affected, 338 sustaining minor damage, 58 sustaining major damage, and 154 being destroyed.

At least 22 levees were affected by the flood; total estimated repair cost is \$36,139,000. U.S. Army Corps of Engineers funding will address the bulk of this; CDBG funding from the regular state program and from the First Supplemental Disaster Appropriation have assisted several communities in providing match for Corps funding. A portion of these levees are being addressed with existing CDBG funds, but total assistance needed by local governments and levee districts greatly exceeds existing funding.

At least two communities in northeast Missouri have reported businesses affected to the extent that buyout and relocation of these businesses is desired. The attached map shows the locations of businesses within the floodplain in northeast Missouri.

Widespread damage to public infrastructure has been reported by communities and regional planning commissions.

We have consulted with local governments, Regional Planning Commissions, the State Emergency Management Agency (SEMA) and the Federal Emergency Management Agency (FEMA) to determine the impacts of the disaster, and the proposed response.

Federally Designated Areas Eligible for Assistance (through this supplemental appropriation)

Missouri will be allocated \$92,605,490 in supplemental CDBG funding (in this appropriation) for 2008 disaster recovery. The federal disaster declarations that are relevant to this supplemental appropriation are 1742, 1748, 1749, 1760, 1773, and 1809. For areas eligible for assistance, please see attached FEMA maps of the six declared disasters, plus the DED map showing all declared areas in Missouri for 2008. All counties marked as designated during any 2008 disaster, as well as the cities within those designated counties, are eligible to apply for these supplemental funds. Areas not eligible for this funding include Benton, Caldwell, Clay, Clinton, DeKalb, Henry, Jackson and Lafayette counties.

Promotion of Short and Long Term Recovery Planning

Nearly 20,000 communities across the United States and its territories participate in the NFIP by adopting and enforcing floodplain management ordinances to reduce future flood damage. In exchange, the NFIP makes federally backed flood insurance available to homeowners, renters, and business owners in these communities. Community participation in the NFIP is voluntary.

At the request of FEMA, each Governor has designated an agency of State or territorial government to coordinate that State's or territory's NFIP activities. These agencies often assist communities in developing and adopting necessary floodplain management measures. In Missouri, this responsibility is the statutory responsibility of the Missouri State Emergency Management Agency (SEMA). As of November 2008, there is about \$4.26 billion in property coverage in force for some 605 Missouri communities that participate in the NFIP.

Flood insurance is designed to provide an alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods. Flood damage is reduced by nearly \$1 billion a year through communities implementing sound floodplain management requirements and property owners purchasing of flood insurance. Additionally, buildings constructed in compliance with NFIP building standards suffer approximately 80 percent less damage annually than those not built in compliance. And, every \$3 paid in flood insurance claims saves \$1 in disaster assistance payments.

In addition to providing flood insurance and reducing flood damages through floodplain management regulations, the NFIP identifies and maps the Nation's floodplains. Mapping

flood hazards creates broad-based awareness of the flood hazards and provides the data needed for floodplain management programs and to actuarially rate new construction for flood insurance.

When the community chooses to join the NFIP, it must adopt and enforce minimum floodplain management standards for participation. FEMA works closely with State and local officials to identify flood hazard areas and flood risks. The floodplain management requirements within the SFHA are designed to prevent new development from increasing the flood threat and to protect new and existing buildings from anticipated flood events.

The community must require permits for all development in the SFHA and ensure that construction materials and methods used will minimize future flood damage. Permit files must contain documentation to substantiate how buildings were actually constructed. In return, the Federal Government makes flood insurance available for almost every building and its contents within the community.

Communities also must ensure that their adopted floodplain management ordinance and enforcement procedures meet program requirements. Local regulations must be updated when additional data are provided by FEMA or when Federal or State standards are revised.

The regulatory requirements set forth by FEMA are the minimum measures acceptable for NFIP participation. More stringent requirements adopted by the local community or State take precedence over the minimum regulatory requirements established for flood insurance availability.

"Floodplain management measures" refers to an overall community program of corrective and preventive measures for reducing future flood damage. These measures take a variety of forms and generally include zoning, subdivision, or building requirements, and special-purpose floodplain ordinances.

The minimum federal requirements affect existing buildings only when an existing building is substantially damaged or improved. There may also be situations where a building has been constructed in accordance with a local floodplain management ordinance, and the owner subsequently alters it in violation of the local building code, without a permit. Such unapproved modifications to an existing building may not meet the minimum Federal requirements.

"Substantial damage" means damage of any origin sustained by a building when the cost of restoring the building to its pre-damaged condition would equal or exceed 50 percent of the market value of the building before the damage occurred. Substantial damage is determined regardless of the actual repair work performed. "Substantial improvement" means any rehabilitation, addition, or other improvement of a building when the cost of the improvement equals or exceeds 50 percent of the market value of the building before start of construction of the improvement. The term includes buildings that have incurred "substantial damage."

Substantial improvement or damage does not, however, include any project for improvement of a building to correct existing violations of State or local health, sanitary, or safety code specifications identified by local code enforcement officials as the minimum specifications necessary to assure safe living conditions. Also excluded from the substantial improvement requirement are alterations to historic buildings as defined by the NFIP.

Missouri has suffered through 14 Presidential Declarations during the last three years. After each disaster event, Missouri SEMA sent notices to each participating community in the declaration to remind them to perform a “substantial damage” survey of affected properties and notify the owner of each structure declared substantially damaged of the requirement to comply with the NFIP rules to meet the federal standards.

Promotion of high quality, durable, energy efficient, and mold resistant construction methods

All newly constructed, or rehabilitated, housing units must meet all locally adopted and enforced building codes, standards and ordinances.

Providing adequate, flood resistant housing for all income groups that live in the flood impacted areas

Missouri’s immediate response to the flood included state agencies and their partners such as the Red Cross, the Salvation Army, DSS, United Way-211 and other agencies that provided sheltering and housing assistance in the emergency phase.

Following was emergency assistance from the same partner agencies to assist displaced persons with rent, hotel stays or emergency minor home repair if they did not have insurance or their insurance was insufficient. The State Emergency Management Agency (SEMA) Flood Plain management staff assisted individuals and communities with flood insurance issues.

Debris removal teams, clean-up teams and emergency minor home repair teams went to work to return people to their homes when practical.

In areas where the disaster was federally declared, we then supported FEMA (with resources and in some cases with 25% cost share) to provide housing and home repair assistance.

Now the state is supporting thirty- plus community long-term recovery committees to assist residents with long term housing assistance to meet unmet disaster related housing needs whenever feasible. SEMA is coordinating, collaborating, communicating and cooperating with many may government and private agency partners to bring in funds,

volunteers, materials and other resources to assist people relocate, rebuild, repair or appropriately address their housing needs.

SEMA and the Department of Economic Development are assisting communities with buy-out projects.

Homeless shelters and transitional housing units impacted by the flood are eligible for assistance through this plan, if these facilities are located outside the 100 year flood plain. If they are/were located within the 100 year flood plain, the facility could be eligible for assistance in rebuilding outside the flood plain.

The disasters affecting Missouri in 2008 did not distinguish concerning the income levels or special needs of those who were affected. Special needs individuals were accommodated when needed.

Method of Distribution

The application for supplemental CDBG funding is available on the DED-BCS website: www.missouridevelopment.org. Proposal forms and guidelines were made available on August 12, 2009, and are due (postmarked) by September 4, 2009. Proposals related to affordable rental housing will be announced in a separate competition.

Eligible Activities

All activities eligible in the regular CDBG program are eligible for CDBG disaster funding. A list of CDBG eligible activities is attached to this plan. **These supplemental disaster CDBG funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency (FEMA) or the Army Corps of Engineers. Further, none of these supplemental disaster CDBG funds may be used as the required match, share, or contribution for another federal program.**

The supplemental appropriation will have no specific set-asides for individual application categories. All applications will be evaluated on the criteria listed in the Application Evaluation section (see below).

The total supplemental appropriation is \$92,605,490. No less than \$10,372,631 must be used for affordable rental housing. The maximum amount that will be used for administration (both state and local) is \$4,630,275.

Projects related to disaster relief, long-term recovery and restoration of infrastructure, housing and economic revitalization in areas affected by presidentially declared disasters in 2008 are eligible for this funding. Proposed water or wastewater projects must still participate in the Missouri Water and Wastewater Review Committee process unless the proposed project is limited to direct disaster recovery.

List of eligible CDBG activities:

1. Property Acquisition
2. Property Disposition
3. Property Clearance
4. Architectural Barrier Removal
5. Senior Center
6. Community Facilities
7. Centers for the Handicapped
8. Historic Properties
9. Water Treatment
10. Sanitary Sewer Collection
11. Storm Sewers
12. Flood and Drainage Facilities
13. Streets (or Roads)

14. Street Accessories
15. Parking Facilities
16. Bridges
17. Sidewalks
18. Pedestrian Malls
19. Recycling or Conversion Facilities
20. Parks and Recreation Facilities
21. Fire Protection/Facility Equipment
22. Solid Waste Disposal Facilities
23. Other Utilities
24. Public Service/Supportive Services
25. Rehabilitation of Private Residential Properties
26. Rehabilitation of Public Residential Properties
27. Payments for Loss of Rental Income
28. Relocation
29. Code Enforcement
30. Energy Use Strategy
31. Non-Federal Share Payment
32. Interim Assistance
33. Planning
34. Commercial or Industrial Facilities
35. Administration
36. Engineering/Design
37. Housing Rehab Inspection
38. Engineering/Construction Inspection
40. Audit
41. Port Facility
42. Airports
43. Natural Gas Lines
44. Electrical Distribution Lines
45. Rail Spurs
46. Security Lighting
47. Other Professional Services
48. Security Fencing
49. Site Preparation
50. Purchase Land/Building
51. Facility Construction Renovation
52. Machinery/Equipment
53. Working Capital
54. Sewage Treatment
55. Homeownership Assistance
56. Legal
57. 911 Emergency Systems
60. New Housing Construction (allowable only on this supplemental)
61. Lead-Based Paint Evaluation
62. Asbestos Removal

- 63. Job Training*
- 64. Home-Ownership Counseling
- 65. Substantial Reconstruction of private residential properties on same lot
- 66. Water Distribution
- 67. Lead Reduction NOT incidental to rehab
- 68. Asbestos Inspection

Anti-Pirating

A limited waiver of the job relocation requirements allows assistance to a business located in another state or another market area within Missouri if the business was displaced from a declared area within Missouri by the disaster and wishes to return. This will assist areas affected by disaster to rebuild their employment base.

Guidelines for Application:

Unless otherwise noted in these guidelines, all CDBG rules apply to the use of the funds. The disaster recovery funds are intended for activities related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization, and they may not otherwise replace other federal, state, or local financial assistance available for any project.

Eligible applicants:

Only those cities and counties listed in Disaster Declarations DR-1742, DR-1748, DR-1749, DR-1760, DR-1773, and DR-1809 are eligible for these supplemental funds. Please see the attached map for eligible counties (which includes the cities within those declared counties).

Entitlement communities:

The DED may accept applications for these funds directly from entitlement communities within the declared counties of DR-1742, DR-1748, DR-1749, DR-1760, DR-1773, and DR-1809.

Duplication of Benefits:

Any use of the funds to assist homeowners, renters or businesses directly, must consider and deduct any duplication of benefits. Local governments applying for CDBG Supplemental funding must obtain this duplication of benefits information. The DED will work with the FEMA Region VII offices and the State Emergency Management offices to assist local governments in determining any such duplication.

National Objective and LMI benefit requirement:

The national objective of LMI benefit is not entirely waived. Fifty percent of the funds allocated to Missouri must be used for activities that meet the LMI national objective of benefiting at least 51% of persons at 80 % of median household income or below. The LMI benefit may use area benefit, direct benefit (such as housing), jobs, or limited clientele. The other 50% of the funds may be used to meet either the national objective of slum/blight removal or urgent threat to health and safety (without regard to income). Each applicant will have to identify the proposed national objective and selections and awards will be made where the State can achieve compliance with the regulation.

CDBG application maximum

No maximum application amount for this funding was set. Applicants should leverage all available local funds and other state and/or federal funding, using proposed CDBG as a gap financing tool. Applicants should be aware of the restriction, described in the prior section, on using CDBG disaster supplemental funds as required match, share or contribution for another federal program.

Administration maximum:

Total administration for this Supplemental funding (both state and local administration) is capped at 5% of the total allocation. The State will cap local administration to be paid with CDBG (per project) at 2.5% of the CDBG-eligible project costs. The remaining 2.5% will be used for state administrative costs.

Citizen Participation (state):

The DED drafted this action plan for the use of the funds and posted the plan on the website on August 28, 2009 with notification to Regional Planning Commissions and local media for a comment period of 7 days (ending on September 4, 2009). All comments will be reviewed and incorporated into the draft plan for submission to HUD.

Citizen Participation (local):

There are no local public hearings required for the applicants to this fund. Access by citizens to open records at the local level is required.

However, local governments applying for CDBG Disaster Supplemental funding need to be aware that all citizens must have equal access to information about these programs. Each local government applying for and receiving CDBG Supplemental funding must ensure that limited English proficient (LEP) speaking populations within their jurisdictions are aware of the program, and that program information is available in the appropriate language for the area served.

Reporting:

Each successful grantee will be required to provide reporting on a quarterly basis on a form provided by the DED. The DED will aggregate the reports and provide them to HUD through their DRGR online reporting system as required by the regulation.

Housing Activities:

- ☐ New housing construction is an eligible activity with these funds.
- ☐ Homeownership assistance may be used for families whose income is up to **120 percent** (not 80%) of the counties median household income.
- ☐ Down payment assistance may be as high as 100 percent (not 50%).
- ☐ The arms length voluntary purchase requirement by a person that does not have the power of eminent domain is waived for purchase of a principle residence.
- ☐ The URA requirements of financial assistance sufficient to reduce a displaced persons rent and utility costs to 30 percent of household income is waived.
- ☐ The URA requirement to use the moving expense and relocation allowance schedule published by the Federal Highway Administration is waived provided a reasonable allowance is made.
- ☐ Section 104(d), the one for one replacement requirement for demolished of converted low and moderate income housing is waived.
- ☐ The relocation assistance requirements under 104 (d) are waived and relocation assistance calculations may use the URA standard for all persons.

Application evaluation:

All applications will be evaluated for:

- ☐ need (the breadth and depth of the disaster in terms of population affected and sectors (housing, infrastructure, business, environment) affected within the community;
- ☐ capacity (the degree of expertise and experience that the local government or contracted agency has to manage the project, administer the funds, and succeed with the outcomes and objectives defined in the application);
- ☐ the project's impact on short and long term community recovery (the amount of spin off, community awareness and support and degree to which the activities will lead to further recovery);
- ☐ local effort (cash, human resources, in-kind efforts);
- ☐ consistency with a local short and long term recovery plans;
- ☐ consistency with local and state floodplain management practices;

- ☐ project sustainability and future disaster mitigation (the degree to which activities are defined with sound construction practices, quality and durability, energy efficiency and flood control or flood resistance)
- ☐ Available funds.

Buyouts:

- ☐ Communities must indicate whether they are paying pre-flood acquisition prices or post flood acquisition prices for properties. A uniform use of either method must be made within any applicant community.
- ☐ Relocation amounts proposed along with post flood purchases may not exceed \$25,000. The calculation of a relocation payment used with a post flood acquisition payment is typically:
 - Amount of comparable decent safe and sanitary home outside the floodplain
 - Less insurance
 - Less any FEMA real property payments
 - Less post flood acquisition amount paid
 - Equals the actual calculated amount or \$25,000, whichever is less.
- ☐ Duplication of benefits includes any FEMA real property payments and private insurance. Any calculation of buyout assistance must deduct these amounts.
- ☐ All properties acquired must deed restrict future use to only those activities allowed under Section 404(b)(2) of the Robert T. Stafford Act.
- ☐ CDBG Supplemental funds cannot be used to match FEMA funding and cannot be used to replace FEMA funding.

Flood Insurance/Floodplain Restrictions:

Funds may not be used for persons who may have received previous federal assistance (including loans) where purchase and maintenance of flood insurance was a requirement, and have since allowed that flood insurance to lapse.

All grantees must inform participating property owners of the future requirements to purchase and maintain flood insurance.

No funds may be used for any activities in areas delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain.

Program Income

Program income is defined as gross income received by a state, local government, or subrecipient that is generated from the use of CDBG funds. If program income is generated by an activity that was only partially funded by CDBG, the income is prorated to reflect the percentage of CDBG used.

Program income includes, but is not limited to, proceeds from the sale of real property acquired or improved with CDBG funds, income from the use or rental of property acquired with CDBG funds, and payments of principal and interest on loans made using CDBG funds.

If program income is earned by a local government or subrecipient, the program income (upon DED approval) may be retained by the local government or subrecipient for activities eligible under this Supplemental CDBG plan. The local government or subrecipient may elect to return the program income to the state, and will be required to return the program income to the state if no eligible activities exist on which to expend the program income, or if DED does not approve the local request to use the program income. Upon receipt by the state, program income will be awarded to local governments under the requirements of this Supplemental CDBG plan.

Monitoring

Monitoring checklists of all compliance areas have evolved over the years of administering the Community Development Block Grant by state staff. These checklists are provided to all grantees during the initial training for grant administration to clarify compliance requirements and to inform the grantees of the areas to be monitored. From the beginning, the grantee has been required to submit to the state field representative for that area all required ordinances/resolutions involving excessive force, anti-lobbying, and fair housing; all financial paperwork setting up the grant; and enough environmental paperwork to be able to allow the release of funds. All federal wage determinations are requested through the CDBG office to assure compliance with labor standards. Start of construction notices must be sent, along with the grantee checking the federal debarred contractors' list, the contractor's certification to do business in Missouri, and documentation of the contractor's approved surety through the state. The field representative will evaluate the new project in terms of risk or need for oversight or assistance. This evaluation will include the grantee's past performance, the administrator's track record, the complexity of the project, and the amount of CDBG assistance awarded. The field representative will decide, with the consensus of program management, whether the project requires one or two field monitorings. The field monitorings will take place at strategic times in the life of the project. An interim monitoring is set up after the first construction payroll is received by staff on public facilities projects or after first houses are completed on neighborhood development projects. A closeout monitoring is conducted any time after 80% draw-down of funds has occurred.

Technical assistance visits may be scheduled any time necessary, in addition to the required monitoring visit. For economic development grantees, transition meetings are conducted in the field after initial award commitment to introduce the compliance field representative and confirm to all parties involved the intricacies of the grant conditions. Training is conducted on **internal monitoring**, as well as stressed in the administrative manual of the CDBG program. The four primary components of CDBG monitoring are progress on planned activities, program compliance, fiscal management, and fiscal

compliance. It is the responsibility of each CDBG grant recipient to develop a system to assure that the financial and program compliance provisions established by federal and state law and supporting regulations and provisions are met. In addition to complying with all appropriate provisions, recipients must be assured that outside contractors and delegate agencies are likewise in compliance with the various laws and regulations. This will require development of a monitoring system that will allow recipients to:

- Manage their community development program as a whole, and individual projects and activities substantially, as described in the approved CDBG application;
- Maintain program or project progress;
- Determine that costs charged to the project are eligible;
- Document non-duplication of benefits (in addition, DED will work closely with FEMA and the State Emergency Management Agency to get recipient data in order to avoid duplication of benefits);
- Ensure that all program activities comply with all applicable laws and regulations and terms of the grant agreement; and
- Minimize the opportunity for fraud, waste, and mismanagement.

In addition, as required, the Supplemental CDBG funding will be included in the Department's Single Audit, which is performed by the Missouri State Auditor, whose report is then provided to the Governor and the Director of the Department of Economic Development.

CERTIFICATIONS FOR STATE GOVERNMENTS, WAIVER AND ALTERNATIVE REQUIREMENT

In accordance with the applicable statutes and the regulations governing the consolidated plan and the Supplemental Appropriations Act, 2008, the State certifies that:

- a) The state certifies that it will affirmatively further fair housing, which means that it has, or will conduct, an analysis to identify impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (24 CFR 570.487(b)(2))
- b) The state certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- c) The state certifies its compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms, if required by that Part.
- d) The state certifies that the Action Plan for Disaster Recovery is authorized under state law and that the state, and any entity or entities designated by the state, possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and the federal register Notice.
- e) The state certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24, except where waivers or alternative requirements are provided for this grant.
- f) The state certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR Part 135.
- g) The state certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 (except as provided for in notices providing waivers and alternative requirements for this grant), and that each unit of general local government that is receiving assistance from the state is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- h) The state certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the nonentitlement, entitlement and tribal areas of the state in determining the method of distribution of funding;
- i) The state certifies that it is complying with each of the following criteria:
 - 1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of natural disasters that occurred and were declared in 2008.

- 2) With respect to activities expected to be assisted with CDBG disaster recovery funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
- 3) The aggregate use of CDBG disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the amount is expended for activities that benefit such persons during the designated period.
- 4) The state will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (A) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (B) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (A).
- j) The state certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.
- k) The state certifies that it has and that it will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:
 - 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - 2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
- l) The state certifies that each state grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the state has a plan to increase the capacity of any state grant recipient or administering entity that lacks such capacity.
- m) The state certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR Part 55.
- n) The state certifies that it will comply with applicable laws.

Signature/Authorized Official

Date:

Director, Missouri Department of Economic Development

Missouri: FEMA Declared Disasters 2008



Jurisdictions Designated for Assistance of some kind



Source: FEMA Maps - 1742-DR, 1748-DR, 1749-DR, 1760-DR, 1773-DR, and 1809-DR

